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19
20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
22

23 MICHAEL LAVIGNE, *et al.*,
24 Plaintiffs,
25 vs.
26 HERBALIFE LTD., *et al.*,
27 Defendants.
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CASE NO. 2:18-cv-07480-JAK (MRWx)
[Related Case 2:13-cv-02488-BRO-RZ]

**JOINT REPORT RE: STATUS OF
SETTLEMENT**

Assigned to Hon. John A. Kronstadt,
Courtroom 10B

1 **JOINT REPORT RE: STATUS OF SETTLEMENT**

2 Pursuant to the Court’s December 22, 2021 Order (Dkt. 377), Defendant
3 Herbalife International of America, Inc. (“Herbalife”), and Plaintiffs Patricia
4 Rodgers, Jennifer Ribalta, and Izaar Valdez (“Plaintiffs”), by and through their
5 respective counsel of record, submit the following joint report as to the status of
6 settlement.

7 As the parties noted in their December 21, 2022 Joint Stipulation to continue
8 certain hearing dates, the parties have reached a settlement in principle. The parties
9 continue to work on a stipulation of settlement and motion for preliminary approval
10 of a class action settlement of this action. The parties anticipate that they will be
11 prepared to make these submissions to the Court by April 2022.

12 The parties have several motions scheduled to be heard on March 14, 2022,
13 namely Plaintiffs’ Motion for Review of Non-Dispositive Rulings (Dkt. No. 309),
14 Herbalife’s Motion for Summary Judgment (Dkt. No. 322), the parties’ *Daubert*
15 motions (Dkt. Nos. 323, 324, 325, 326, 327, 328, 329, 330), and Plaintiffs’ Motion
16 to Strike Defendant’s Affirmative Defenses (Dkt. No. 359) (the “Outstanding
17 Motions”).

18 To allow the parties time to submit a stipulation of settlement and motion for
19 preliminary approval, the parties respectfully request that the March 14, 2022
20 hearing on the Outstanding Motions be continued to April 25, 2022, or the Court’s
21 next available hearing date.
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1 *Local Rule 5-4.3.4(a)(2)(i) Compliance: Filer attests that all other signatories*
2 *listed concur in the filing's content and have authorized this filing.*

3
4 DATED: March 3, 2022

Respectfully submitted,

5 Mark T. Drooks
6 Paul S. Chan
7 Gopi K. Panchapakesan
8 Jonathan M. Jackson
9 Bird, Marella, Boxer, Wolpert, Nessim,
Drooks, Lincenberg & Rhow, P.C.

10
11 By: /s/ Paul S. Chan

12 Paul S. Chan
13 Attorneys for Defendant Herbalife
International of America, Inc.

14 DATED: March 3, 2022

Mortgage Recovery Law Group LLP

15
16
17 By: /s/ Paul A. Levin

18 Paul A. Levin
19 Attorneys for Plaintiffs Patricia Rodgers,
Jennifer Ribalta, and Izaar Valdez

20 DATED: March 3, 2022

21 Etan Mark
22 Donald J. Hayden
23 Mark Migdal & Hayden

24 By: /s/ Etan Mark

25 Etan Mark
26 Attorneys for Plaintiffs Patricia Rodgers,
Jennifer Ribalta, and Izaar Valdez
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